

COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
Fredericksburg Satellite Office

STATEMENT OF LEGAL AND FACTUAL BASIS

Birchwood Power Partners, LP
10900 Birchwood Drive, King George, Virginia
Permit No. FSO40809

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Birchwood Power Partners, LP has applied for a Title V Operating Permit for its 220 megawatt pulverized coal-fired cogeneration facility located in King George County, Virginia. The Department has reviewed the application and has prepared a draft Title V Operating Permit that has been administratively amended.

Engineer/Permit Contact: _____ Date: _____

Air Permit Manager: _____ Date: _____

FACILITY INFORMATION

Permittee

Birchwood Power Partners, LP
10900 Birchwood Drive
King George, Virginia 22485

Facility

Birchwood Power Facility
10900 Birchwood Drive
King George, Virginia 22485

AIRS ID No. 51-099-0012

SOURCE DESCRIPTION

SIC Code: 4931 - Electric Power Generation

The Birchwood Power Facility consists of a pulverized bituminous coal-fired (PC-F) boiler, which has a maximum rated heat input capacity of approximately $2,300 \times 10^6$ Btu per hour. During boiler startups and shutdowns, No. 2 fuel oil is fired in the boiler. The steam generated by the boiler is directed through a steam turbine which drives an electric generator capable of producing about 240 megawatts (MW) net of electric power. After passing through the turbine, portions of the steam flow are sent to a local greenhouse for use in space heating.

The source requested a modification to its air permit that would allow the use of Landfill Gas (LFG) as an alternative fuel in its PC-F boiler. LFG is a renewable and clean burning fuel. Therefore, the combustion of LFG was viewed as an environmentally beneficial project. In order to accommodate the combustion of LFG, the facility's boiler will be physically modified. The facility requested that this project be permitted as a pollution control project (PCP) as defined in the PCP regulations of 9 VAC 5-80-1310. The source's modified air permit was issued on April 22, 2005. The new requirements of the modified permit are being incorporated into the source's Title V permit as an administrative amendment, per 9 VAC 5-80-200.A.5.

To abate the release of pollutants to the atmosphere, a number of air pollution control devices have been installed. A selective catalytic reduction system with ammonia injection is employed to reduce nitrogen oxide emissions. A combination of low sulfur coal and a flue gas desulfurization system, consisting of a dry lime scrubber, controls the amount of sulfur dioxide emissions. A high efficiency fabric filter baghouse minimizes the amount of both filterable and inhalable particulate matter emissions to the atmosphere.

To support the operation of the boiler and its air pollution control devices, the facility is comprised of various auxiliary systems, including a coal handling system (delivery, stockpiling, crushing, conveying, and storing), an ammonia handling system (storage and delivery), a lime handling system (delivery, storage, and conveying), a flyash handling system (conveying and storage for off-site disposal) and a 200,000 gallon No. 2 fuel oil above ground storage tank.

The facility was previously permitted under a PSD Permit issued on August 23, 1993, amended on February 16, 1994, and became effective on March 17, 1994, (as a result of Final EPA Environmental Appeals Board decision). Since then, the permit has been amended on November 27, 1995; July 19, 1996; July 7, 2000; August 10, 2001; and April 22, 2005. The PSD permit as amended is provided in Attachment A.

COMPLIANCE STATUS

The facility has been inspected at least once per year (by September 30 of each year). The last on site inspection performed occurred on September 9, 2003. The DEQ reviewed the details of the boiler fuel and handling system and operational parameters of the three main air pollution control devices the Selective Catalytic Reduction (SCR), the dry lime scrubber, and the fabric filter baghouse system. The facility is currently in compliance with all regulations.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The significant emission units at this facility consist of the following:

A. Fuel Burning Equipment

| Emission Unit ID | Stack ID | Emission Unit Description ^a | Size/Rated Capacity | Pollution Control Device Description (PCD) | PCD ID | Pollutant Controlled | Applicable Permit Date ^b |
|------------------|----------|--|-------------------------------|---|--------|---|--|
| 1 | 1 | ABB-CE Systems pulverized coal, wet bottom, tangentially fired boiler (approved fuels are bituminous coal and landfill gas. No. 2 fuel oil is used during start-ups, shutdowns and periods of flame instability) | 2300 x 10 ⁶ Btu/hr | ABB-ES lime spray dryer | D1 | SO ₂ | 8/23/93 (I) 2/16/94 (A) 3/17/94 (E) 11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 8/10/01 (A) 4/22/05 (A) |
| 1 | 1 | Same as above | same as above | ABB-CE Systems/Siemens-KWU selective catalytic reduction (SCR) system | D2 | NO _x | same as above |
| 1 | 1 | Same as above | same as above | ABB-ES fabric filter baghouse | D3 | PM PM ₁₀ Lead HAPS ^c | same as above |

Table Notes:

^a Construction date for equipment sometime in and after 1994

^b For permit date information, I = issued (original) date, A = Amendment date, E = effective date (as a result of final EPA Environmental Appeals Board Decision)

^c The HAPs controlled by the fabric filter baghouse include metals (e.g., arsenic, lead, etc.)

B. Processing Operations

| Emission Unit ID | Stack ID ^a | Emission Unit Description ^b | Size/Rated Capacity | Pollution Control Device Description (PCD) | PCD ID | Pollutant Controlled | Applicable Permit Date ^c |
|------------------|-----------------------|---|---------------------|--|--------|----------------------|--|
| 2 | NA | Coal unloading via coal car tipping equipment and conveyors | 2800 tons/hr | Dust suppression (Chemicals or Water) | D4 | PM, PM ₁₀ | 8/23/93 (I) 2/16/94 (A) 3/17/94 (E) 11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 8/10/01 (A) 4/22/05 (A) |
| 3 | NA | Coal pile drop via conveyors | 2800 tons/hr | Dust suppression | D4 | PM, PM ₁₀ | same as above |
| 4 | NA | Coal storage piles | 34,000 tons | Dust suppression | D4 | PM, PM ₁₀ | same as above |
| 5 | NA | Coal reclaiming via hoppers and covered conveyors | 700 tons/hr | Fabric filter dust collectors (3) which vent to the reclaim tunnel | D5 | PM, PM ₁₀ | same as above |
| 6 | 2 | Coal crushing via crusher and covered conveyors | 700 tons/hr | Fabric filter dust collector (1) which vents to the atmosphere | D6 | PM, PM ₁₀ | same as above |
| 7 | NA | Coal bunkers for inside coal storage | 4,300 tons | Fabric filter dust collectors (2) which vent to the building | D7 | PM, PM ₁₀ | same as above |
| 8 | 3 | Flyash disposal system via covered conveyors and storage silo | 19.2 tons/hr | Fabric filter dust collector which vents to the atmosphere | D8 | PM, PM ₁₀ | same as above |
| 9 | 4 | Lime handling system - lime silo fill & storage | 2.4 tons/hr | Fabric filter dust collector that vents to the atmosphere | D9 | PM, PM ₁₀ | same as above |

Table Notes:

^a For AStack ID≡ listed as NA or not applicable, any emissions are considered fugitive

^b Construction date for equipment sometime in and after 1994

^c For permit date information, I = issued (original) date, A = Amendment date, E = effective date (as a result of final EPA Environmental Appeals Board Decision)

EMISSIONS INVENTORY

A copy of the facility's 2003 Calendar Year annual emission update is included as Attachment B. The actual criteria and hazardous air pollutant emission data from this annual emission update are summarized in the following tables.

| 2003 Calendar Year Criteria Pollutant Emissions in Tons/Year | | | | | |
|--|------|---------|-----------------|-------|-----------------|
| Emission Unit ID | VOC | CO | SO ₂ | PM-10 | NO _x |
| 1 | 68.6 | 1,371.3 | 574.1 | 123.5 | 495.8 |
| 2 | - | - | - | 0.0 | - |
| 3, 4, 5 | - | - | - | 0.1 | - |
| 6 | - | - | - | 0.04 | - |
| 9 | - | - | - | 1.5 | - |
| Total | 68.6 | 1,371.3 | 574.1 | 125.1 | 592.4 |

| 2003 Calendar Year Hazardous Air Pollutant Emissions in Tons/Year ^a | | |
|--|----------------------------|-------------------|
| Emission Unit | Hydrogen Chloride (as gas) | Hydrogen Fluoride |
| 1 | 1.9 | 2.6 |
| Total | 1.9 | 2.6 |

^a The hazardous air pollutants listed are ones that are not classified as volatile organic compounds (VOCs) or particulate matter (PM). The 2003 Calendar Year criteria pollutant emissions of VOCs and PM may contain hazardous air pollutants that are classified as a VOC (e.g., formaldehyde) and PM (e.g., arsenic).

EMISSION UNIT APPLICABLE REQUIREMENTS - Emission Unit ID# 1 (Coal-Fired Boiler)

Limitations

Conditions III.A.1-12: These conditions incorporated into the Title V permit from the April 22, 2005, Prevention of Significant Deterioration (PSD) permit.

Condition III.A.13: This condition incorporates the requirements of 40 CFR 60.46a (c).

Condition III.A.14: This condition incorporates the requirements of 40 CFR 46a (d).

Monitoring

Conditions III.B.1-5: These conditions are incorporated into the Title V permit from the April 22, 2005, PSD permit.

Condition III.B.6: This condition incorporates the requirements of 40 CFR 60.13 (f).

Conditions III.B.7 and B.8: Same as the explanation for Condition III.B.1.

Condition III.B.9: This condition incorporates the requirements of 40 CFR 60.47a (e), and 40 CFR 60.13 (e).

Condition III.B.10: This condition incorporates the requirements of 40 CFR 60.47a (g), and 40 CFR 60.13 (h).

Condition III.B.11: Same explanation as for Condition III.B.1.

Conditions III.B.12 and B.13: This condition incorporates the requirements of 40 CFR 60.13 (d).

Condition III.B.14: This condition incorporates the requirements of 40 CFR 60.47a (l),

Condition III.B.15: Same explanation as for Condition III.B.1.

Condition III.B.16: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for continuous monitoring and to provide a reasonable assurance of continuous compliance with the particulate matter and opacity standards.

Conditions III.B.17-20: Same explanation as Condition III.B.1.

Condition III.B.21: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for the purpose of periodic monitoring of CO, VOC, and PM₁₀ by requiring the permittee to stack test one time every other year. This stack test can be performed in conjunction with the RATA test.

Recordkeeping

Conditions III.C1-8: These conditions are incorporated into the Title V permit from the April 22, 2005 PSD permit.

Condition III.C.9: This condition incorporates the requirements of 40 CFR 60.7.

Condition III.C.10: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for daily recordkeeping requirements for opacity and baghouse operating conditions, as well as recording any corrective action taken to correct an excursion.

Conditions III.C.11, C.12, and C.13: Same explanation as for Condition III.C.1.

Condition III.C.14: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for monthly and annual recordkeeping of the throughput of coal and oil for a reasonable assurance of compliance with the emission limits of Condition III.A.10

Condition III.C.15: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for maintaining records of all performance testing required for this permit.

Condition III.C.16: Same explanation as for Condition III.C.1.

Testing

Condition III.D.1: This condition is incorporated into the Title V permit from the April 22, 2005, PSD permit.

Condition III.D.2: This condition incorporates the requirements of 40 CFR 60.13 (c).

Condition III.D.3: The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

Conditions III.E.1 and E.2: This conditions are incorporated into the Title V permit from the April 22, 2005, PSD permit.

Condition III.E.3: This condition incorporates the requirements of 40 CFR 64 requiring the facility to submit Compliance Assurance Monitoring (CAM) information with the permit renewal application.

PROCESS EQUIPMENT REQUIREMENTS - Emission Unit ID#'s 2, 3, 4, 5, 6, 7, 8 and 9

Limitations

Conditions IV.A.1, A.2, and A.3: These conditions are incorporated into the Title V permit from the April 22, 2005, PSD permit.

Monitoring and Recordkeeping

Condition IV.B.1: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for conducting and recording a visual observation of all particulate emission points that vent to the atmosphere on a weekly basis to insure reasonable assurance of compliance of the permit limits.

Testing

Condition IV.C.1: In the absence of an existing regulation, 9 VAC 5-80-110 was used to establish a condition for conducting any required testing by the required methods and procedures.

Facility Wide Conditions

Limitations

Conditions V.A.1 and A.2: These conditions are incorporated into the Title V permit from the April 22, 2005, PSD permit.

Monitoring and Recordkeeping

Condition V.B.1: This condition is incorporated into the Title V permit from the April 22, 2005, PSD permit.

Streamlined Requirements

Condition 17 of the August 10, 2001, PSD permit requiring testing for particulate matter, carbon monoxide (CO), sulfur dioxide (SO₂), sulfur dioxide removal efficiency, nitrogen oxides (NO_x), volatile organic compounds (VOCs), and ammonia have been completed, therefore, this condition was not required to be incorporated in this permit.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110, that apply to all Federal-operating permit sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions, including those caused by upsets, within one business day.

STATE ONLY APPLICABLE REQUIREMENTS

Virginia Administrative Code

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-80: Visible emissions from the boiler are limited to 20 percent (20%) opacity, except for one six-minute period in any one hour of not more than 30 percent (30%) opacity. Failure to meet these limits because of the presence of water vapor shall not be a violation of such limits.

9 VAC 5 Chapter 140: Regulations for Emissions Trading

40 CFR Part 60, Subpart Da, A Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.

40 CFR 60.42a (a): No owner or operator shall cause to be discharged into the atmosphere any gases which contain particulate matter (PM) in excess of:

- ☐ 13 ng/J (0.03 lb/10⁶ Btu) heat input derived from the combustion of solid, liquid, or gaseous fuel;
- ☐ 1 percent of the potential combustion concentration (99 percent reduction) when combusting solid fuel; and
- ☐ 30 percent of potential combustion concentration (70 percent reduction) when combusting liquid fuel.

40 CFR 60.42a (b): No owner or operator shall cause to be discharged into the atmosphere any gases which exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

40 CFR 60.43a (a): No owner or operator shall cause to be discharged into the atmosphere any gases which contain sulfur dioxide in excess of:

- ☐ 520 ng/J (1.20 lb/10⁶ Btu) heat input and 10 percent of the potential combustion concentration (90 percent reduction), or
- ☐ 30 percent of the potential combustion concentration (70 percent reduction), when emissions are less than 260 ng/J (0.60 lb/10⁶ Btu) heat input.

40 CFR 60.43a (g): Compliance with the emission limitations and percent reduction requirements listed in 40 CFR 60.43a (a) are both determined on a 30-day rolling average basis.

40 CFR 60.44a (a): No owner or operator shall cause to be discharged into the atmosphere any gases which contain nitrogen oxides in excess of 260 ng/J (0.60 lb/10⁶ Btu) heat input and 35 percent of the potential combustion concentration (65 percent reduction), with both limits based on a 30-day rolling average.

40 CFR 60.46a (a): Compliance with the particulate matter emission limitation under 40 CFR 60.42a (a)(1) constitutes compliance with the percent reduction requirements for particulate matter under 40 CFR 60.42a (2) and (3).

40 CFR 60.46a (b): Compliance with the nitrogen oxides emission limitation under 40 CFR 60.44a (a) constitutes compliance with the percent reduction requirements under 40 CFR 60.44a (a)(2).

40 CFR 60.46a (c): The particulate matter standards under 40 CFR 60.42a and the nitrogen oxides emission standards under 40 CFR 60.44a apply at all times except during periods of start-up, shutdown, or malfunction. The sulfur dioxide emission standards under 40 CFR 60.43a apply at all times except during periods of start-up, shutdown, or when both emergency conditions exist and the procedures under 40 CFR 60.46a (d) are implemented.

40 CFR 60.46a (d): During emergency conditions in the principal company, an affected facility with a malfunctioning flue gas desulfurization system may be operated if sulfur dioxide emissions are minimized by:

- ☐ Operating all operable flue gas desulfurization system modules, and bringing back into operation any malfunctioned module as soon as repairs are completed,
- ☐ Bypassing flue gases around only those flue gas desulfurization system modules that have been taken out of operation because they were incapable of any sulfur dioxide emission reduction or which would have suffered significant physical damage if they had remained in operation, and
- ☐ Designing, constructing, and operating a spare flue gas desulfurization system module for an affected facility larger than 365 MW ($1,250 \times 10^6$ Btu/hr) heat input (approximately 125 MW electrical output capacity). (40 CFR 60.46a (d)(3) details spare module capability demonstration criteria if such demonstration is required by the Administrator.)

40 CFR 60.46a (e): After initial performance test, compliance with the sulfur dioxide emission limitations and percentage reduction requirements under 40 CFR 60.43a and the nitrogen oxides emission limitations under 40 CFR 60.44a is based on the average emission rate for 30 successive boiler operating days. A separate performance test is completed at the end of each boiler operating day and a new 30 day average emission rate for both sulfur dioxide and nitrogen oxides and a new percent reduction for sulfur dioxide are calculated to show compliance with the standards.

40 CFR 60.46a (g): Compliance is determined by calculating the arithmetic average of all hourly emission rates for SO₂ and NO_x for the 30 successive boiler operating days, except for data obtained during start-up, shutdown, malfunction (NO_x only), or emergency conditions (SO₂ only). Compliance with the percentage reduction requirement for SO₂ is determined based on the average inlet and average outlet SO₂ emission rates for the 30 successive boiler operating days.

FUTURE APPLICABLE REQUIREMENTS

On May 23, 2002, EPA proposed amendments to NSPS Subpart WWW that may have significant implications for the owner/operator (O/O) of the Birchwood facility. Specifically, a proposed amendment to Section 60.752 of the NSPS (Subpart WWW) which would allow the landfill O/O (i.e., King George County Landfill) to transfer untreated landfill gas off-site for control or treatment, provided that the transferee (i.e., Birchwood Power Partners, L.P.) certifies to EPA (and provides a copy to the landfill O/O) that it will control or treat the landfill gas in accordance with the NSPS provisions, including providing for either a backup control device should the primary control or treatment system malfunction or shutdown, or a mechanism for shutoff of landfill gas flow to the off-site facility. See 67 FR 36478, paragraph D, Allowance for Off-Site Control or Treatment Option. EPA has not finalized the proposed amendments. The proposed subpart is attached in Appendix C.

No other future applicable requirements have been identified by the permittee and the Department is not aware of any other future applicable requirements, which will become effective during the permit term for this facility.

INAPPLICABLE REQUIREMENTS

The following inapplicable requirements were identified by the applicant.

| Citation | Title of Citation | Description of Inapplicability |
|-----------------------|---|---|
| 40 CFR 55 | Outer Continental Shelf Air Regulations | Facility not located in an area subject to the regulation. |
| 40 CFR 57 | Primary nonferrous smelter orders | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart A | General Requirements | Facility does not contain equipment subject to a New Source Performance Standard. |
| 40 CFR 60, Subpart B | Adoption of State Plans | Regulation does not contain any source specific requirements. |
| 40 CFR 60, Subpart C | Emission Guidelines | Facility does not contain equipment subject to an Emission Guideline. |
| 40 CFR 60, Subpart D | Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971 | Any facility covered under Subpart Da is not covered under Subpart D |
| 40 CFR 60, Subpart Db | NSPS for Industrial-Commercial Institutional Steam Generating Units | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart Dc | NSPS for Small Industrial-Commercial Institutional Steam Generating Units | Cleaver Brooks boilers (10.43 MMBtu/hr. each) were constructed prior to June 9, 1989 and are therefore exempt. |
| 40 CFR 60, Subpart E | NSPS for Incinerators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart Ea | NSPS for Municipal Waste Incinerators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart Eb | NSPS for Municipal Waste Incinerators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart F | NSPS for Portland Cement Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart G | NSPS for Nitric Acid Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart H | NSPS for Sulfuric Acid Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart I | NSPS for Asphalt Concrete Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart J | NSPS for Petroleum Refineries | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart K | NSPS for Storage Vessels for Petroleum Liquids | Facility does not contain emissions unit or belong to source category to which this regulation applies (all fuel storage tanks less than 40,000 gallons). |

| Citation | Title of Citation | Description of Inapplicability |
|--|---|---|
| 40 CFR 60, Subpart Ka | NSPS for Storage Vessels for Petroleum Liquids | Facility does not contain emissions unit or belong to source category to which this regulation applies (all fuel storage tanks less than 40,000 gallons). |
| 40 CFR 60, Subpart Kb (Provisions Except as Specified in Paragraphs (a) and (b) of § 60.116b) | Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 | Liquid stored in 200,000-gallon AST has a maximum true vapor pressure less than 3.5 kPa |
| 40 CFR 60, Subpart L | NSPS for Secondary Lead Smelters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart M | NSPS for Secondary Brass and Bronze Ingot Production Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart N | NSPS for Primary Emissions from Basic Oxygen Process Steel Making Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart Na | NSPS for Primary Emissions from Basic Oxygen Process Steel Making Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart O | NSPS for Sewage Treatment Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart P | NSPS for Primary Copper Smelters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart Q | NSPS for Primary Zinc Smelters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart R | NSPS for Primary Lead Smelters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart S | NSPS for Primary Aluminum Reduction | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart T | NSPS for the Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants | Facility does not belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart U | NSPS for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart V | NSPS for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart W | NSPS for the Phosphate Fertilizer Industry: Triple Superphosphate Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart X | NSPS for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage | Facility does not contain emissions unit or belong to source category to which this |

| Citation | Title of Citation | Description of Inapplicability |
|------------------------|--|--|
| | Facilities | regulation applies. |
| 40 CFR 60, Subpart Y | NSPS for Coal Preparation Plants | According to DEQ Air Division Policy Statement No. 2-96 dated April 22, 1996, a coal preparation plant must have a thermal dryer to be subject to this regulation. The facility does not contain a coal thermal dryer and is therefore exempt from the regulation. |
| 40 CFR 60, Subpart Z | NSPS for Ferroalloy Production Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart AA | NSPS for Steel Plants: Electric Arc Furnaces | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart AAa | NSPS for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decaburization Vessels | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart BB | NSPS for Kraft Pulp Mills | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart CC | NSPS for Glass Manufacturing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart DD | NSPS for Grain Elevators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart EE | NSPS for Surface Coating of Metal Furniture | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart GG | NSPS for Stationary Gas Turbines | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart HH | NSPS for Lime Manufacturing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart KK | NSPS for Lead-Acid Battery Manufacturing Plant | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart LL | NSPS for Metallic Mineral Processing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart MM | NSPS for Automobile and Light Duty Truck Coating Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart NN | NSPS for Phosphate Rock Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart PP | NSPS for Ammonium Sulfate Manufacture | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart QQ | NSPS for Graphic Arts Industry: Publication Rotogravure Printing | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|------------------------|---|---|
| 40 CFR 60, Subpart RR | NSPS for Pressure Sensitive Tape and Label Surface Coating Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart SS | NSPS for Industrial Surface Coating: Large Appliances | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart TT | NSPS for Metal Coil Surface Coating | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart UU | NSPS for Asphalt Processing and Asphalt Roofing Manufacture | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart VV | NSPS for Equipment Leaks from Synthetic Organic Chemicals Manufacturing Industry | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart WW | NSPS for Beverage Can Surface Coating Industry | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart XX | NSPS for Bulk Gasoline Terminals | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart AAA | NSPS for New Residential Wood Heaters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart BBB | NSPS for Rubber Tire Manufacturing Industry | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart DDD | NSPS for Polymer Manufacturing Industry | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart FFF | NSPS for Flexible Vinyl and Urethane Printing and Coating | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart GGG | NSPS for Equipment Leaks from Petroleum Refineries | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart HHH | NSPS for Synthetic Fiber Production Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart III | NSPS for Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart JJJ | NSPS for Petroleum Dry Cleaners | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|------------------------|---|---|
| 40 CFR 60, Subpart KKK | NSPS for Equipment Leaks from Onshore Natural Gas Processing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart LLL | NSPS for Onshore Natural Gas Processing | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart NNN | NSPS for Synthetic Organic Chemical Manufacturing Industry Distillation Operation | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart OOO | NSPS for Nonmetallic Mineral Processing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart PPP | NSPS for Wool Fiberglass Insulation Manufacturing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart QQQ | NSPS for Petroleum Refinery Wastewater Systems | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart RRR | NSPS for Synthetic Organic Chemical Manufacturing Industry Reactor Process | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart SSS | NSPS for Magnetic Tape Coating | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart TTT | NSPS for Plastic Parts for Business Machine Coatings | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart UUU | NSPS for Calciners and Dryers in Mineral Industries | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart VVV | NSPS for Polymeric Coating of Supporting Substrates Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 60, Subpart WWW | NSPS for Municipal Solid Waste Landfills | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart A | NESHAP-GENERAL | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart B | NESHAP for Underground Uranium Mines | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart C | NESHAP for Beryllium | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart D | NESHAP for Beryllium Rocket Motor Firing | Facility does not contain emissions unit or belong to source category to which this |

| Citation | Title of Citation | Description of Inapplicability |
|----------------------|---|--|
| | | regulation applies. |
| 40 CFR 61, Subpart E | NESHAP for Mercury | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart F | NESHAP for Vinyl Chloride | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart H | NESHAP for Emissions of Radionuclides | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart I | NESHAP for Facilities Licensed by the Nuclear Regulatory Commission | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart J | NESHAP for Equipment Leaks (Fugitive Emission Facilities) of Benzene | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart K | NESHAP for Emissions of Radionuclides from Elemental Phosphorus Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart L | NESHAP for Benzene Emissions from Coke Byproduct Recovery Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart M | NESHAP for Asbestos (including work practices) | This facility does not accept friable asbestos containing waste, therefore, it is not an active asbestos waste site as described in 40 CFR61.154 |
| 40 CFR 61, Subpart N | NESHAP for Inorganic Arsenic Emissions from Glass Manufacturing Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart O | NESHAP for Inorganic Arsenic from Primary Copper Smelters | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart P | NESHAP for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart Q | NESHAP for Radon from DOE Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart R | NESHAP for Radon from Phosphogypsum Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart T | NESHAP for Radon from Disposal of Uranium Mill Tailings | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|-----------------------|--|---|
| 40 CFR 61, Subpart V | NESHAP for Equipment Leaks of VHAPs | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart W | NESHAP for Radon from Mine Tailings | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart Y | NESHAP for Benzene Emissions from Benzene Storage Vessels | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart BB | NESHAP for Benzene Emissions from Benzene Transfer Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 61, Subpart FF | NESHAP for Benzene Waste Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 62 | State Plans for Designated Facilities and Pollutants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart B | Requirements in Control Technology Determinations for Major Facilities in Accordance With the Clean Air Act Sections 112 (j) | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart C | List of Hazardous Air Pollutants | Section does not contain source specific regulatory requirements. |
| 40 CFR 63, Subpart D | Compliance Extensions for Early Reductions | Facility is not seeking a compliance extension from NESHAP standard. |
| 40 CFR 63, Subpart E | Approval of State Plans and Delegation of Authorities | Section does not contain source specific regulatory requirements. |
| 40 CFR 63, Subpart F | NESHAP for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart G | NESHAP for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart H | NESHAP for Organic Hazardous Air Pollutants for Equipment Leaks | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart I | NESHAP for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|-----------------------|--|---|
| | Regulation for Equipment Leaks | |
| 40 CFR 63, Subpart L | NESHAP for Coke Oven Batteries | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart M | NESHAP for Dry Cleaning Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart N | NESHAP for Hard and Decortine Chromium Electroplating and Chromium Anodizing Tanks | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart O | NESHAP for Ethylene Oxide Sterilization Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart Q | NESHAP for Industrial Process Cooling Towers | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart R | NESHAP for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart T | National Emission Standards for Halogenated Solvent Cleaning | The Parts Cleaner does not use any solvent containing the chemicals specified in 40 CFR 63.460 (a) |
| 40 CFR 63, Subpart W | NESHAP for Hazardous Air Pollution for Epoxy Resins Production and Non-Nylon Polyamides Production | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart X | NESHAPS for Secondary Lead Smelting | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart Y | NESHAP for Marine Tank Vessel Loading Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart CC | NESHAP for Petroleum Refineries | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart DD | NESHAP for Off-Site Waste and Recovery Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart EE | NESHAP for Magnetic Tape Manufacturing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart GG | NESHAP for Aerospace Manufacturing and Rework Facilities | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|-----------------------|---|--|
| 40 CFR 63, Subpart II | NESHAP for Shipbuilding and Repair (Surface Coating) | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart JJ | NESHAP for Wood Furniture Manufacturing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart KK | NESHAP for Printing and Publishing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart OO | NESHAP for Tanks-Level 1 | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart PP | NESHAP for Containers | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart QQ | NESHAP for Surface Impoundments | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart RR | NESHAP for Individual Drain Systems | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| 40 CFR 63, Subpart VV | National Emission Standards for Oil-Water Separators and Organic-Water Separators | No other subpart of 40 CFR parts 60, 61, or 63 references the use of this subpart for the control of air emissions from the Oil/Water Separator. |
| 40 CFR 69 | Special Exemptions from Requirements of CAA | Facility not located in applicability area. |
| 40 CFR 72 | Acid Rain Program | The size and cogeneration operations of the Birchwood Power Facility make it a “qualifying facility” meaning a “qualifying small power production facility” within the meaning of §3(17)(C) of the Federal Power Act or a “qualifying cogeneration facility” within the meaning of § 3(18)(B) of the Federal Power Act |
| 40 CFR 73 | Sulfur Dioxide Allowance System | The size and cogeneration operations of the Birchwood Power Facility make it a “qualifying facility” meaning a “qualifying small power production facility” within the meaning of §3(17)(C) of the Federal Power Act or a “qualifying cogeneration facility” within the meaning of § 3(18)(B) of the Federal Power Act |
| 40 CFR 75 | Continuous Emission Monitoring | The size and cogeneration operations of the Birchwood Power Facility make it a “qualifying facility” meaning a “qualifying small power production facility” within the meaning of §3(17)(C) of the Federal Power Act or a “qualifying cogeneration facility” within the meaning of § 3(18)(B) of the Federal Power Act |
| 40 CFR 76 | Acid Rain NOx Emission Program | The size and cogeneration operations of the Birchwood Power Facility make it a “qualifying facility” meaning a “qualifying small power production facility” within the meaning of §3(17)(C) of the Federal Power Act or a “qualifying cogeneration facility” |

| Citation | Title of Citation | Description of Inapplicability |
|-----------|--|---|
| | | within the meaning of 3(18)(B) of the Federal Power Act |
| 40 CFR 77 | Excess Emissions | The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act |
| 40 CFR 78 | Appeal Procedures for Acid Rain Program | The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act |
| 40 CFR 82 | Protection of Stratospheric Ozone | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-5 | Synthesized Pharmaceutical Products Manufacturing Operations | Facility is not located in a VOC emissions control area and is therefore exempt from regulation. |
| Rule 4-6 | Rubber Tire Manufacturing Operations | Facility is not located in a VOC emissions control area and is therefore exempt from regulation. |
| Rule 4-7 | Incinerators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-9 | Coke Ovens | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-10 | Asphalt Concrete Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-11 | Petroleum Refinery Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-12 | Chemical Fertilizer Manufacturing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-13 | Kraft Pulp Mills | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-14 | Sand and Gravel Processing Operations and Sand Quarrying and Processing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-15 | Coal Preparation Plants | According to DEQ Air Division Policy Statement No. 2-96 dated April 22, 1996, a coal preparation plant must have a thermal dryer to be subject to this regulation. The facility does not contain a coal thermal dryer and is therefore exempt from the regulation. |
| Rule 4-16 | Portland Cement Plants | Facility does not contain emissions unit or belong to source category to which this regulation applies. |

| Citation | Title of Citation | Description of Inapplicability |
|-----------|--|---|
| Rule 4-17 | Woodworking Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-18 | Primary and Secondary Metal Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-19 | Lightweight Aggregate Process Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-20 | Feed Manufacturing Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-21 | Sulfuric Acid Production Units | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-22 | Sulfur Recovery Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-23 | Nitric Acid Production Units | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-24 | Solvent Metal Cleaning Operations | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-25 | Volatile Organic Compound Storage Tanks | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-26 | Large Appliance Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-27 | Magnet Wire Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-28 | Automobile and Light Duty Truck Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-29 | Can Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-30 | Metal Coil Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-31 | Paper and Fabric Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-32 | Vinyl Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-33 | Metal Furniture Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-34 | Miscellaneous Metal Parts and Products Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-35 | Flatwood Paneling Coating Application Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |

| Citation | Title of Citation | Description of Inapplicability |
|-----------|--|---|
| Rule 4-36 | Graphic Arts Printing Process | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-37 | Petroleum Liquid Storage and Transfer Operations | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-38 | Dry Cleaning Systems | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-39 | Asphalt Paving Operations | Facility is not located in a VOC emissions control area and is exempt from regulation. |
| Rule 4-40 | Open Burning | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 4-41 | Mobile Sources | Section does not contain source specific requirements. |
| Rule 5-5 | Environmental Protection Agency Standards of Performance for New Stationary Sources | This regulation does not contain any source specific requirements |
| Rule 5-6 | Standards of Performance for Regulated Medical Waste Incinerators | Facility does not contain emissions unit or belong to source category to which this regulation applies. |
| Rule 6-1 | Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants | This regulation does not contain any source specific requirements. |

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

| Emission Unit No. | Emission Unit Description | Citation ¹ (9 VAC _) | Pollutant(s) Emitted (5-80-720 B) | Rated Capacity (5-80-720 C) |
|-------------------|---|------------------------------------|--------------------------------------|--------------------------------|
| 12 | 200,000-gallon No. 2 Distillate Fuel Oil Aboveground Storage Tank (AST) | 5-80-720 B | VOCs | N/A |
| 13 | No. 2 Diesel Fuel Emergency Fire Pump Engine | 5-80-720C | N/A | 305 Horsepower |
| 14 | No. 2 Diesel Fuel Emergency Generator Engine | 5-80-720C | N/A | 685 Horsepower |
| 15 | Parts Cleaner | 5-80-720 B | VOCs | N/A |
| 18 | Oil/Water Separator | 5-80-720 B | VOCs | N/A |
| 19 | 8,000-gallon Lubricating Oil AST | 5-80-720 B | VOCs | N/A |
| 20 | 8,000-gallon Used Lubricating Oil AST | 5-80-720 B | VOCs | N/A |
| 21 | 500-gallon Diesel Generator AST | 5-80-720 B | VOCs | N/A |
| 22 | 5,000-gallon Diesel Fuel AST | 5-80-720 B | VOCs | N/A |
| 23 & 24 | Two (2) 500-gallon waste oil ASTs | 5-80-720C | N/A | 500-gallons each |
| 25 | 500-gallon Diesel Fuel AST (Fire Protection) | 5-80-720 B | VOCs | N/A |

¹ The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed named insignificant activity, not required to be listed in permit application

9 VAC 5-80-720 B - Insignificant due to emissions levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality, and all portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

A draft Title V administrative amendment was drafted concurrently with the April 22, 2005, PSD permit. 9 VAC 5-80-200.A.5 allows the incorporation into a Title V permit the requirements of permits issued under the PSD program when the NSR program meets (i) procedural requirements substantially equivalent to the requirements of 9 VAC 5-80-270 and 9 VAC 5-80-290 that would be applicable to the change if it were subject to review as a permit modification, and (ii) compliance requirements substantially equivalent to those contained in 9 VAC 5-80-110. 9 VAC 5-80-270 is the public participation portion of the Title V regulations; and, 9 VAC 5-80-290 deals with permit review by EPA and affected states.

The April 22, 2005, PSD permit underwent public participation as prescribed by 9 VAC 5-80-1170. 9 VAC 5-80-1170 is substantially equivalent to the requirements of 9 VAC 5-80-270. The requirements of 9 VAC 5-80-290 were met because EPA and the appropriate affected states were notified of the PSD permit.

It should also be noted that a draft Title V administrative amendment was submitted to the EPA at the same time as the draft PSD permit.

Appendix A
Prevention of Significant Deterioration Permit
Amended April 22, 2005

Appendix B
2003 Emissions Inventory Statement

Appendix C
Proposed Rule Change for Standards of Performance for Municipal Solid Waste Landfill
May 23, 2002